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MAR 17 1998

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

March 17, 1998

*Via Hand Delivery*

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Ms. Magalie Roman Salas  
Secretary  
Federal Communications Commission  
1919 M Street, NW  
Washington, DC 20554

Re: Columbia City, Florida  
MM Docket No. 97-252

Dear Ms. Salas:

Women in FLA Broadcasting, Inc., by its attorneys, hereby files an original and five copies of its Reply Comments in the above-referenced proceeding. Please contact the undersigned directly if there are any questions concerning this matter.

Respectfully submitted,



David G. O'Neil

DGO:do  
Enclosures (6)

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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

RECEIVED

MAR 17 1998

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )  
 )  
Amendment of Section 73.202(b) ) MM Docket No. 97-252  
Table of Allotments ) RM-9206  
FM Broadcast Stations )  
Columbia City, Florida )

To: Chief, Allocations Branch  
Mass Media Bureau

**REPLY COMMENTS OF WOMEN IN FLA BROADCASTING, INC.**

Women in FLA Broadcasting, Inc. ("Women"), by its attorneys and pursuant to Section 1.415(c) of the Commission's Rules, hereby files its Reply Comments in response to the "Comments, Opposition and Counterproposal of Dickerson Broadcasting, Inc." ("Dickerson Counterproposal") in the above-captioned proceeding.<sup>1</sup> As further discussed herein, the Commission must dismiss the Dickerson Counterproposal as technically and procedurally defective because it: (a) is mutually exclusive with a previously filed minor modification application; (b) is mutually exclusive with a pending counterproposal filed in another rule making proceeding; (c) is short-spaced to two authorized facilities; (d) proposes to involuntarily downgrade the facilities of an existing licensee without its consent; and (e) refuses to reimburse a licensee for a forced change in frequency.<sup>2</sup>

The Commission should instead grant Max Media's ("Max") rule making petition because it better satisfies the Commission's allotment priorities. Max's petition will permit the provision

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<sup>1</sup> The Notice of Proposed Rule Making ("NPRM") in this proceeding permits the filing of Reply Comments by March 17, 1998. Thus, these Reply Comments are timely filed.

<sup>2</sup> The Dickerson Counterproposal is further defective because it failed to serve a copy of its counterproposal on WHTQ(FM), the Yankeetown permittee or Dixie County Broadcasters.

of first local service to Columbia City, Florida. The Dickerson counterproposal, on the other hand, will prevent the provision of two new first local services to Columbia City and Horseshoe Beach, Florida. In support thereof, the following is respectfully submitted.

### **Introduction**

1. Women is the licensee of FM Radio Broadcast Station WDFL(FM) at Cross City, Florida. In July of 1989, the Commission amended Section 73.202(b) to substitute Channel 295C1 for Channel 292A at Cross City and modify the license of WDFL accordingly. See Perry, Florida, 4 FCC Rcd 5599, 5604 (PRD 1989). That amendment to Section 73.202(b) is now final.

2. Women timely filed a minor modification application for the new allotment at 295C1 in November of 1989. The Commission granted Women's application in September of 1995. In October of 1995, Dickerson untimely opposed the grant and for the past two years has successfully prevented Women from constructing its new facilities. Dickerson's obstructionist tactics ultimately forced Women to have to file a new application specifying a new transmitter site.<sup>3</sup>

3. On September 23, 1997, Women filed the new minor modification application to operate WDFL on Channel 295C1 (BPH-970923IC). On January 30, 1998, Dixie County Broadcasters filed a counterproposal in the Otter Creek, Florida rule making proceeding (MM Docket No. 97-239), proposing allotment of Channel 240C3 to Horseshoe Beach, Florida. Any mutually exclusive applications, including counterproposals, for the WDFL application must have been filed by September 23, 1997. Any mutually exclusive counterproposals to the Dixie

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<sup>3</sup> Women's efforts to construct WDFL at its new authorized facilities and Dickerson's repeated efforts to prevent such construction is discussed in Women's Petition for Reconsideration filed on October 20, 1997 and is herein incorporated by reference.

Counterproposal must have been filed by February 2, 1998. Dickerson did not file a mutually exclusive application or counterproposal by these deadlines. Instead, on March 2, 1998, Dickerson filed its counterproposal in the instant rule making proceeding. The Dickerson Counterproposal is mutually exclusive with the pending application for WDFL, the Dixie Counterproposal and authorizations for two FM Radio Broadcast stations.<sup>4</sup>

**I. THE DICKERSON COUNTERPROPOSAL IS AN  
UNTIMELY FILED RULE MAKING PROPOSAL  
TO A PENDING APPLICATION AND COUNTERPROPOSAL**

4. The Commission must dismiss the Dickerson Counterproposal as procedurally defective because it is an untimely filed rule making proposal which is mutually exclusive with a pending minor modification application and a counterproposal. By definition, minor modification applications are cut-off from the filing of rule making proposals as of the date they are received at the Commission.<sup>5</sup> The Commission has dismissed as untimely counterproposals filed after the cut-off deadline for minor modification applications unless the counterproposal is amended to remove the conflict with the application.<sup>6</sup> Similarly, Section 1.420(d) establishes a "cut-off" date

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<sup>4</sup> See Engineering Statement of Richard Graham at 1 and Exhibits 1 & 2. Mr. Graham's Engineering Statement is attached hereto as Exhibit 1. The Dickerson Counterproposal acknowledges that its proposal is short-spaced to Women's pending application. See Engineering Statement of Radiotechniques at 5.

<sup>5</sup> See FM Channel and Class Modifications, 8 FCC Rcd 4735, 4738 (1993); Conflicts between Applications and Petitions for Rule Making, 7 FCC Rcd 4917, 4919 (1992) (minor change applications protected from conflicting rule making proposals on date received at Commission); Rose Hill, North Carolina, 11 FCC Rcd 21223, 21229 (PRD 1996) (prior-filed one-step application protected against later-filed alternate channel proposal); Eufaula, Oklahoma, 11 FCC Rcd 4735, 4735 (Alloc. 1996) (counterproposals unacceptable if mutually exclusive with previously filed one-step application).

<sup>6</sup> See FM Channel and Class Modifications, 8 FCC Rcd at 4737 n.25; Conflicts, 7 FCC Rcd at 4919 (1992); Public Notice, 34705 (rel. Aug. 31, 1993).

by which competing counterproposals must be filed in an allotment rule making proceeding.<sup>7</sup> This "cut-off" procedure is a fundamental procedural cornerstone for the freezing of the record in allotment proceedings, and is critical to the administration of the allotment rule making process.<sup>8</sup> The Commission accordingly has refused to consider untimely filed counterproposals.<sup>9</sup>

5. The Dickerson Counterproposal must be dismissed as untimely filed and mutually exclusive with Women's pending modification application and the Dixie Counterproposal. As discussed above, the Dickerson Counterproposal was filed after the cut-off deadlines for Women's application and the Dixie Counterproposal. The Dickerson Counterproposal is mutually exclusive with Women's application and the Dixie Counterproposal.<sup>10</sup> Accordingly, the Dickerson Counterproposal does not meet the cut-off deadlines, and, consistent with Commission policies and precedents, must be dismissed as untimely. Thus, any comparative analysis between

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<sup>7</sup> Appendix A to the Notice of Proposed Rule Making in the Otter Creek, Florida rule making proceeding specifically states that counterproposals must be filed by the comment deadline and will not be considered after that date.

<sup>8</sup> See Perry, Florida, 7 FCC Rcd, 2557, 2560 (Alloc. 1992); Vancouver, Washington, 4 FCC Rcd, 830, 840 n.3 (Alloc. 1989).

<sup>9</sup> See 47 C.F.R. § 1.420(d); Weaverville, California, 12 FCC Rcd 2965, 2965 n.2 (Alloc. 1997) (counterproposal filed after comment period denied consideration in rule making proceeding); Woodville, Mississippi, 11 FCC Rcd 4712, 4712 n.4 (1996) (same); Perry, Florida, 7 FCC Rcd 2557, 2560 (Alloc. 1992) (same); Vancouver, Washington, 4 FCC Rcd 839, 840 n.3 (Alloc. 1989) (same); Grove City, Pennsylvania, 4 FCC Rcd 7904, 7905 n.3 (Alloc. 1989) (same). In Perry, the Commission refused to consider an untimely filed counterproposal, even though it would resolve mutually exclusive proposals in the rule making proceeding. Perry, 7 FCC Rcd at 2560.

<sup>10</sup> See Engineering Statement of Richard Graham at 1 and Exhibits 1 & 2; Engineering Statement of Radiotechniques at 5.

Women's pending application or the Dixie Counterproposal and the Dickerson Counterproposal is inappropriate.<sup>11</sup>

6. Nor can Dickerson amend its counterproposal to remove the conflict with Women's application or the Dixie Counterproposal. Dickerson could have filed a rule making proposal prior to the cut-off deadline for Women's application or the Dixie Counterproposal. Instead, Dickerson elected to file its counterproposal on the comment deadline. Dickerson must now bear the consequences of its filing "strategy".

## **II. THE DICKERSON COUNTERPROPOSAL IS TECHNICALLY AND PROCEDURALLY DEFICIENT**

7. The Commission also should dismiss the Dickerson Counterproposal as technically and procedurally deficient because it: (a) is short-spaced to two authorized stations; (b) proposes an involuntary downgrade of an existing station; and (c) fails to provide the required pledge for reimbursement of expenses for forcing an existing station to change frequencies. Any of these deficiencies provide more than an adequate basis for dismissing the Dickerson Counterproposal.<sup>12</sup>

8. In Allouez, Wisconsin, 8 FCC Rcd 2809, 2809 (Alloc. 1993), the Commission dismissed a counterproposal under similar circumstances to the Dickerson Counterproposal.

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<sup>11</sup> Dickerson's argument that Women's application is "fatally flawed" is self-serving, incorrect and unsubstantiated.

<sup>12</sup> See e.g., Chester, South Carolina, 7 FCC Rcd 2849, 2849 n.2 (Alloc. 1992), (counterproposal that proposed an involuntary change in transmitter site without licensee's consent and failed to include reimbursement pledge dismissed); Mary Esther, Florida, 7 FCC Rcd 1417, 1418 (Alloc. 1991) (counterproposal that did not include reimbursement pledge dismissed as procedurally defective); Augusta, Kansas, 6 FCC Rcd 2043, 2043 n.2 (Alloc. 1991) (counterproposal proposing relocation of station's transmitter site without licensee's consent and failed to include reimbursement pledge dismissed).

There, the Commission dismissed a counterproposal because it failed, inter alia, to make a reimbursement pledge, proposed an involuntary change in transmitter site without the licensee's consent and the counterproposal was short-spaced to a "one-step" application entitled to cut-off protection. As discussed herein, the Dickerson Counterproposal suffers from the same deficiencies. Thus, the Commission must dismiss the Dickerson Counterproposal as procedurally and technically deficient.<sup>13</sup>

**A. ALLOTMENT OF CHANNEL 243C3 TO WDFL IS SHORT-SPACED TO TWO EXISTING STATIONS**

9. The Dickerson Counterproposal must be dismissed for failing to comply with the mileage separation requirements of Section 73.207 of the Commission's Rules. The Commission will not grant a petition in an allotment rule making proceeding if it does not satisfy the mileage separations requirements contained in Section 73.207.<sup>14</sup> Moreover, the petition may not rely upon the contour protection provisions in Section 73.215 to remedy any short-spacing.<sup>15</sup>

10. The Dickerson Counterproposal mistakenly relies upon Section 73.215 to resolve short-spacing between its proposed allotment for WDFL and two existing authorizations, contrary

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<sup>13</sup> See Allouez, Wisconsin, 8 FCC Rcd 2809, 2809 (Alloc. 1993); Fort Bragg, California, 6 FCC Rcd 5817, 5817 (Alloc. 1991); Broken Arrow and Bixby, Oklahoma, 3 FCC Rcd 6507, 6511 n.2 (Alloc. 1988).

<sup>14</sup> See Eatonton, Georgia, 12 FCC Rcd 8392, 8394 (Alloc. 1997) (dismissing counterproposal for failing to comply with Section 73.207); Edenton, North Carolina, 11 FCC Rcd 7531, 7533 (Alloc. 1996) (counterproposals must comply with Section 73.207).

<sup>15</sup> See Denison-Sherman Paris, Oklahoma, 12 FCC Rcd 10265, 10267 (Alloc. 1997) (petitioner can not rely upon Section 73.215 in rule making proceeding); Edenton, 11 FCC Rcd at 7533 (reliance upon Section 73.215 impermissible in rule making proceedings).

to Commission policy.<sup>16</sup> When the appropriate mileage separation requirements of Section 73.207 are used, the Dickerson Counterproposal is short-spaced to two existing authorizations. Specifically, the proposed allotment of Channel 243C3 to Cross City, Florida and modification of WDFL's authorization to operate on this channel at its present tower site is short-spaced to WHTQ(FM), Orlando, Florida and a permit for a new FM Radio broadcast station for Yankeetown, Florida by 6.42 and 12.82 kilometers, respectively.<sup>17</sup> Because the Dickerson Counterproposal does not satisfy the Commission's mileage separation rules, the Commission must dismiss the Dickerson Counterproposal.

**B. THE COMMISSION WILL NOT FORCE A STATION TO  
INVOLUNTARILY DOWNGRADE ITS FACILITIES**

11. The Commission will not force a licensee to downgrade its facilities without its consent. See Flora, Mississippi, 7 FCC Rcd 5477, 5477 (Alloc. 1992) (denying petition proposing downgrade of broadcast facility without licensee's consent); Columbia, South Carolina, 3 FCC Rcd 6881, 6883 (PRD 1989) (Commission will not construe licensee's express willingness to downgrade on one channel as blanket expression of interest to downgrade on all channels). In those cases, as is the case here, the Commission denied counterproposals that would force a licensee to involuntarily downgrade its facilities.

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<sup>16</sup> The engineering statement attached to the Dickerson Counterproposal clearly relies upon Section 73.215 to eliminate any short-spacing for the proposed allotment for WDFL. See Engineering Statement of Radiotechniques at 4.

<sup>17</sup> See Engineering Statement of Richard Graham at Exhibits 1 & 2.



12. Flora clearly requires dismissal of the Dickerson Counterproposal for seeking to involuntary downgrade WDFL. Similarly, if in Columbia the Commission refused to involuntarily downgrade a station on a different channel than originally proposed without its consent, then the Commission must dismiss the Dickerson Counterproposal for seeking an involuntary downgrade of WDFL where Women has not proposed such a downgrade. Nor has Women consented to downgrading WDFL. Instead, Women has pending a mutually exclusive and previously filed application to operate WDFL on Channel 295C1.

**C. THE DICKERSON COUNTERPROPOSAL MUST BE  
DISMISSED BECAUSE IT FAILS TO PLEDGE  
TO REIMBURSE WOMEN FOR ITS EXPENSES**

13. The Commission should also dismiss the Dickerson Counterproposal for failing to promise to reimburse Women for the reasonable and prudent expenses associated with changing frequencies for WDFL. Dickerson is required to reimburse Women because Dickerson benefits from the proposed change in frequency.

14. A licensee forced to change its channel is entitled to compensation from the party that benefits from the change.<sup>16</sup> The displaced party is entitled to compensation even if it requests and receives a class upgrade.<sup>17</sup>

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<sup>16</sup> See Circleville, Ohio, 8 FCC Rcd 159 (1967); Allouez, Wisconsin, 8 FCC Rcd 2809, 2809 (Alloc. 1993); Chester, South Carolina, 7 FCC Rcd 2849, 2849 n.2 (Alloc. 1992); Mary Esther, Florida, 7 FCC Rcd 1417, 1418 (Alloc. 1991); Portageville, Missouri, 6 FCC Rcd 4398, 4398 n.1 (Alloc. 1991); Augusta, Kansas, 6 FCC Rcd 2043, 2043 n.2 (Alloc. 1991).

<sup>17</sup> See Lonokey, Arkansas, 6 FCC Rcd 4861, 4862 (Alloc. 1991) (petitioner required to reimburse licensee for expenses for changing frequency even if licensee can upgrade facilities).

15. The Dickerson Counterproposal proposes to change frequency for WDFL for Dickerson's benefit yet refuses to reimburse Women for its expenses in changing frequencies for WDFL. Thus, Dickerson was obligated to include in its counterproposal a reimbursement pledge to Women for the reasonable and prudent expenses for changing frequency for WDFL. The Dickerson Counterproposal did not include this pledge. Indeed, Dickerson has refused to make any such pledge.

16. Dickerson argues that it is relieved of its obligation to reimburse Women because Women is required by the Commission to move to Channel 295C1. This claim is contrary to Commission policy, which requires Dickerson to reimburse Women for a change in frequency, even where Women has requested and received a class upgrade. See Lonoke, 6 FCC Rcd at 4862. The Commission has amended Section 73.202(b) for Cross City and instructed WDFL to vacate Channel 292A and operate on Channel 295C1. That allotment is final. The Dickerson Counterproposal is an untimely filed counterproposal to force WDFL to operate on a different channel to Dickerson's benefit and Women's detriment. Dickerson is therefore required to reimburse Women for its reasonable and prudent expenses. Dickerson has failed to make this pledge. The Commission must dismiss its counterproposal.

### **Conclusion**

The Commission must dismiss the Dickerson Counterproposal because it was not technically and procedurally correct at the time it was filed. It is procedurally defective because it is an untimely filed rule making proposal that is mutually exclusive to a pending minor modification application and a counterproposal. The Dickerson Counterproposal is also

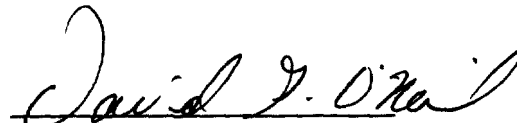
technically and procedurally defective because it is short-spaced to two authorized stations, proposes an involuntary downgrade for WDFL without its consent and refuses to reimburse Women for its reasonable and prudent expenses in changing frequency. Any of these deficiencies alone are sufficient for dismissing the Dickerson Counterproposal. Combined, they are an overwhelming mandate for dismissal. The Commission should instead grant Max Media's rule making petition because it better satisfies the Commission's allotment priorities.

WHEREFORE, for the foregoing reasons, Women in FLA Broadcasting, Inc. respectfully requests that the Commission dismiss Dickerson Broadcasting, Inc.'s Counterproposal in this rule making proceeding.

Respectfully submitted,

**WOMEN IN FLA BROADCASTING, INC.**

By:



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Washington, DC 20036  
(202) 296-2007

March 17, 1997

Its Attorneys

## **EXHIBIT 1**

# GRAHAM BROCK, INC.

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BROADCAST TECHNICAL CONSULTANTS

**WOMEN IN FLORIDA BROADCASTING, INC.**  
**REQUEST TO DISMISS**  
**COUNTERPROPOSAL TO MM DOCKET #97-252**  
**BY DICKERSON BROADCASTING, INC.**  
**March 1998**

**TECHNICAL EXHIBIT**

***Copyright 1998***

**WOMEN IN FLORIDA BROADCASTING, INC.**  
**REQUEST TO DISMISS**  
**COUNTERPROPOSAL TO MM DOCKET #97-252**  
**BY DICKERSON BROADCASTING, INC.**  
**March 1998**

This Technical Exhibit supports the request by Women in Florida Broadcasting ("Women") to dismiss the counterproposal submitted by Dickerson Broadcasting, Inc. ("Dickerson") in MM Docket 97-252 that proposed the allotment of Channel 243A to Columbia City, Florida. The Dickerson counterproposal requested the allocation of Channel 243A to Cross City, Florida, and the downgrade of the Channel 295C1 allocation to Cross City, Florida.<sup>1</sup> This change is to accommodate the upgrade of the Dickerson facility.

Exhibit #1 is a computerized printout of the Dickerson Channel 243C3, Cross City, proposal (from the present WDFL transmitter site) demonstrating that this allocation is shortspaced to the three facilities or proposals. These three facilities are:

- 1) The Construction Permit site for Channel 242A, Yankeetown, Florida (BPH-930909ME), Nature Coast Communications.
- 2) The licensed site for WHTQ, Channel 243C, Orlando, Florida (BLH-850513KL), Infinity Holdings Corporation.
- 3) The proposed allotment, Channel 240C3, Horseshoe Beach, Florida (RM9237), Dixie County Broadcasters.<sup>2</sup>

Exhibit #1, therefore, demonstrates the counterproposal to the Columbia City proceeding forwarded by Dickerson violates the spacing requirements of §73.207 of the Commission's rules.

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1) Channel 295C1 was allotted to Cross City, Florida, for WDFL as a replacement for Channel 292A.

2) Comments to the Otter Creek proposal (MM Docket 97-239) NPRM 12/12/97 were due 2/2/98 with reply comments by 2/17/98. The Dickerson proposal was filed March 6, 1998, well past the deadline dates.

It is recognized that Dickerson specified an "allocation site" for Channel 240C3, Cross City, Florida, which differs from the licensed WDFL facility. Exhibit #2 is a computerized printout of the Dickerson, Channel 243C3, Cross City, proposal (from the Dickerson reference coordinates) demonstrating that this proposal would be shortspaced to the proposed allotment of Channel 240C3, Horseshoe Beach, Florida (RM9237), as submitted by Dixie County Broadcasters as a counterproposal to Channel 240A Otter Creek, Florida (RM-9195).

Dickerson's counterproposal is, therefore, deficient and should be returned without any consideration since Dickerson is proposing a forced downgrade for WDFL from Channel 295C1 to Channel 243C3. The use of the present WDFL site does not meet spacing requirements of Channel 243C3. The use of the present WDFL site would require §73.215 processing, which, in an allocation situation, is contrary to the Commission's rules. Using the provisions of §73.215 (contour protection) for Channel 243C3, WDFL could not operate as a maximum C3 facility.<sup>3</sup> The proposed site for Channel 240C3 is not the authorized site for WDFL and Women does not consent to the change in site (or the downgrade of WDFL). Finally, Dickerson fails to consider the proposal for Channel 240C3 at Horseshoe Beach, Florida, which precludes the allocation of Channel 243C3 at Cross City.<sup>4</sup>

We have tried to be as accurate as possible in the preparation of this report. Should there be any questions concerning the information contained herein, we welcome the opportunity to discuss the matter by phone at 912-638-8028.

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3) WDFL would be limited to 19.0 kilowatts at the present HAAT of 56 meters or a power of 7.5 kilowatts at an HAAT of 100 meters at the presently licensed WDFL transmitter site to protect WHTQ and the construction permit at Yankeetown.

4) The Horseshoe Beach counterproposal to Otter Creek was entered into the FCC Engineering Database (available free to the public at [www.fcc.gov](http://www.fcc.gov)) on January 30, 1998. The failure of Dickerson to utilize a current database does not relieve him of his responsibility to properly protect other facilities when submitting his counterproposal.

**WOMEN IN FLORIDA BROADCASTING, INC.**  
**REQUEST TO DISMISS**  
**COUNTERPROPOSAL TO MM DOCKET #97-252**  
**BY DICKERSON BROADCASTING, INC.**  
**March 1998**

**EXHIBIT #1**

**Present WDFL Licensed Site**

REFERENCE		CLASS C3	DISPLAY DATES
29 36 35 N			DATA 03-13-98
83 08 03 W	Current rules spacings		SEARCH 03-13-98
----- CHANNEL 243 - 96.5 MHz -----			

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
AD243	243A	Columbia	FL	39.5	66.37	142.0	-75.63 *
AD	30 04 12	82 41 42	0.000 kW	OM	41.3	88.3	
	Max Media				RM9206		971119
AD240	240C3	Horseshoe Beach	FL	218.4	23.88	43.0	-19.12 *
AD	29 26 28	83 17 15	0.000 kW	OM	14.8	26.7	
	Dixie County Broadcasters				RM9237		980130
>Counterproposal							
CP242	242A	Yankeetown	FL	145.2	76.18	89.0	-12.82 *
CP CN	29 02 43	82 41 12	2.750 kW	149M	47.3	55.3	
	Nature Coast Communications C				BPH930909ME		990826
WHTQ	243C	Orlando	FL	119.3	230.58	237.0	-6.42 *
LI CN	28 34 51	81 04 32	100.000 kW	487M	143.3	147.3	
	Infinity Holdings Corporation				BLH850513KL		
AD240	240A	Otter Creek	FL	144.1	45.01	42.0	3.01
AD	29 16 52	82 51 42	0.000 kW	OM	28.0	26.1	
	Tony Downes				RM9195		971104
>Site Restriction 9.8km Southwest							
WYZK.A	244C2	Valdosta	GA	345.7	137.14	117.0	20.14
AP CN	30 48 28	83 29 22	31.000 kW	190M	85.2	72.7	
	CDJ, Inc.				BMPH961122ID		
WYZK.C	244C2	Valdosta	GA	344.5	138.41	117.0	21.41
CPM CN	30 48 43	83 31 20	50.000 kW	150M	86.0	72.7	
	CDJ, Inc.				BMPH940802IE		980406
WYZK	244A	Valdosta	GA	356.9	136.15	89.0	47.15
LI CN	30 50 10	83 12 40	3.000 kW	91M	84.6	55.3	
	CDJ, Inc.				BLH850627KF		
>*To Channel 244C2 per D88-436							



**WOMEN IN FLORIDA BROADCASTING, INC.**  
**REQUEST TO DISMISS**  
**COUNTERPROPOSAL TO MM DOCKET #97-252**  
**BY DICKERSON BROADCASTING, INC.**  
**March 1998**

**EXHIBIT #2**

**Dickerson Reference Coordinates - Channel 243C3**

REFERENCE			CLASS C3			DISPLAY DATES		
29 45 08 N						DATA	03-13-98	
83 09 39 W			Current rules spacings			SEARCH	03-13-98	
----- CHANNEL 243 - 96.5 MHz -----								
CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)	
AD243	243A	Columbia	FL	51.7	57.14	142.0	-84.86 *	
AD	30 04 12	82 41 42	0.000 kW	0M	35.5	88.3		
	Max Media				RM9206		971119	
AD240	240C3	Horseshoe Beach	FL	199.5	36.60	43.0	-6.40 *	
AD	29 26 28	83 17 15	0.000 kW	0M	22.8	26.7		
	Dixie County Broadcasters				RM9237		980130	
>Counterproposal								
CP242	242A	Yankeetown	FL	149.6	90.87	89.0	1.87 <	
CP CN	29 02 43	82 41 12	2.750 kW	149M	56.5	55.3		
	Nature Coast Communications C				BPH930909ME		990826	
WHTQ	243C	Orlando	FL	122.2	240.85	237.0	3.85	
LI CN	28 34 51	81 04 32	100.000 kW	487M	149.7	147.3		
	Infinity Holdings Corporation				BLH850513KL			
WYZK.A	244C2	Valdosta	GA	345.0	121.21	117.0	4.21	
AP CN	30 48 28	83 29 22	31.000 kW	190M	75.3	72.7		
	CDJ, Inc.				BMPH961122ID			
WYZK.C	244C2	Valdosta	GA	343.7	122.51	117.0	5.51	
CPM CN	30 48 43	83 31 20	50.000 kW	150M	76.1	72.7		
	CDJ, Inc.				BMPH940802IE		980406	
AD240	240A	Otter Creek	FL	151.0	59.73	42.0	17.73	
AD	29 16 52	82 51 42	0.000 kW	0M	37.1	26.1		
	Tony Downes				RM9195		971104	
>Site Restriction 9.8km Southwest								
WYZK	244A	Valdosta	GA	357.7	120.25	89.0	31.25	
LI CN	30 50 10	83 12 40	3.000 kW	91M	74.7	55.3		
	CDJ, Inc.				BLH850627KF			
>*To Channel 244C2 per D88-436								

**AFFIDAVIT AND QUALIFICATIONS OF CONSULTANT**

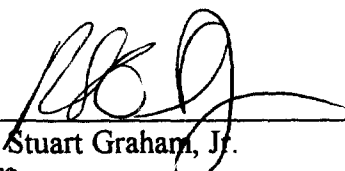
*State of Georgia    )*  
*St. Simons Island    ) ss:*  
*County of Glynn    )*

**R. STUART GRAHAM**, being duly sworn, deposes and says that he is an officer of Graham Brock, Inc. Graham Brock has been engaged by Women in Florida Broadcasting, Inc., licensee of Radio Station WDFL, to prepare the attached Technical Exhibit.


His qualifications are a matter of record before the Federal Communications Commission. He is a graduate of Auburn University and has been active in Broadcast Engineering since 1972.

The attached report was either prepared by him or under his direction and all material and exhibits attached hereto are believed to be true and correct.

*This the 16th day of March, 1998.*

  
\_\_\_\_\_  
R. Stuart Graham, Jr.  
Affiant

*Sworn to and subscribed before me  
this the 16th day of March, 1998*

  
\_\_\_\_\_  
Notary Public, State of Georgia  
My Commission Expires: September 12, 1999

## **CERTIFICATE OF SERVICE**

I, Yvette King, a secretary with the law firm of Rini, Coran & Lancellotta, do hereby certify that I have caused a copy of the foregoing "Reply Comments of Women in FLA Broadcasting, Inc." to be mailed, first-class, postage prepaid this 17th day of March 1998 to the following persons:

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Yvette King

\* Via Hand Delivery